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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Farwick, *et al.*

Appl. No.: 09/825,293

Filed: April 4, 2001

For: **New Nucleotide Sequences
Encoding the mikE17 Gene**



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Art Unit: 1652

APR 03 2002

Examiner: C. Fronda *TECH CENTER 1600/2900*

Atty. Dkt.: 21123/280108

Information Disclosure Statement

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Submitted herewith is a listing of documents known to Applicants and/or their attorney in compliance with the requirements of 37 C.F.R. § 1.56. Copies of the listed documents are enclosed. Also enclosed is a copy of the International Search Report for corresponding international application PCT/EP 01/08781, dated March 20, 2002.

Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application. This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned attorney submits the following concise explanation of the relevance of the non-English language documents cited on the accompanying form:

Reference IR, foreign patent document EP 1 106 693, discloses a zwa2 gene from *Corynebacterium glutamicum* that is useful, when suppressed, for increasing the fermentative

production of amino acids, especially lysine. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document VR.

Consideration of the cited documents and making the same of record in the prosecution of the above-captioned application are respectfully requested. This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(c) after the receipt of a First Office Action but before the mailing of a final Office Action, a Notice of Allowance or other action that closes prosecution. In accordance with 37 C.F.R. § 1.97 (c)(2) the fee set forth is Section 1.17 (p) is enclosed herewith. Any other fee necessary for the filing of this document may also be charged to our Deposit Account No. 03-3975 under Order No. 21123/280108.

Respectfully submitted,
PILLSBURY WINTHROP, LLP



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Date: April 1, 2002
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enclosure

FORM PTO-1449 (modified)
 To: U.S. Department of Commerce
 (PW FORM PAT-1449)
 Patent and Trademark Office

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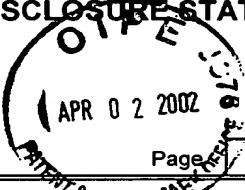
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INFORMATION DISCLOSURE STATEMENT
 BY APPLICANT



Date: April 2, 2002

Page 1 of 1

Applicant: Farwick, et al.

Appln. No.: 09/825,293

Filing Date: April 4, 2001

Examiner: Fronda, C.

Group Art Unit: 1652

U.S. PATENT DOCUMENTS (TRADEMAKES)

| Examiner's Initials* | Document Number | Date MM/YYYY | Name (Family Name of First Inventor) | Class | Sub Class | Filing Date (if appropriate) |
|----------------------|-----------------|--------------|--------------------------------------|-------|-----------|------------------------------|
| AR | | | | | | |
| BR | | | | | | |
| CR | | | | | | |
| DR | | | | | | |
| ER | | | | | | |
| FR | | | | | | |

FOREIGN PATENT DOCUMENTS

| | Document Number | Date MM/YYYY | Country | Inventor Name | English Abstract | | Translation Readily Available | |
|----|-----------------|--------------|---------|---------------|------------------|----|-------------------------------|----|
| | | | | | Enclosed | No | Enclose | No |
| GR | EP 0 387 527 | 09/1990 | EUROPE | | | | | |
| HR | EP 1 108 790 | 06/2001 | EUROPE | | | | | |
| IR | EP 1 106 693 | 06/2001 | EUROPE | | | | x | x |
| JR | WO 01 00843 | 01/2001 | WIPO | | | | | |
| KR | | | | | | | | |
| LR | | | | | | | | |
| MR | | | | | | | | |
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OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

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|----|--|--|--|--|
| QR | Cole, et al., "Deciphering the biology of <i>Mycobacterium tuberculosis</i> from the complete genome sequence," <i>Nature</i> , Vol. 393, 1998, pg. 537-544. | | | |
| RR | Redenbach, et al., "A set of ordered cosmids and a detailed genetic and physical map for the 8 mb <i>streptomyces coelicolor</i> A3(2) chromosome," <i>Molecular Microbiology</i> , Vol. 21, No. 1, 1996, pg. 77-96. | | | |
| SR | Kramer, et al., "Genetic and physiological approaches for the production of amino acids," <i>Journal of Biotechnology</i> , Vol. 45, No. 1, 1996, pg. 1-21. | | | |
| TR | Eikmanns, et al., "Molecular aspects of lysine, threonine and isoleucine biosynthesis in <i>Corynebacterium glutamicum</i> ," <i>Antonie Van Leeuwenhoek</i> , Vol. 64, No. 2, 1993, pg. 145-163. | | | |
| UR | Vrljic, et al., "A new type of transport with a new type of cellular function: L-lysine export from <i>Corynebacterium glutamicum</i> ," <i>Molecular Microbiology</i> , Vol. 22, No. 5, 1996, pg. 815-826 | | | |
| VR | English language abstract of IR above. | | | |

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.